

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:21-cr-32

vs.

DAMON MYERS,

District Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING THE PARTIES' JOINT REQUEST TO CONTINUE; (2) EXCLUDING THE TIME FROM OCTOBER 11, 2022 UNTIL MARCH 24, 2023 WITHIN WHICH THE UNITED STATES MUST BRING DEFENDANT TO TRIAL; (3) SETTING TRIAL TO BEGIN ON MARCH 20, 2023; AND (4) SETTING THE FINAL PRETRIAL CONFERENCE ON MARCH 9, 2023 AT 11:00 AM

This criminal case comes before the Court on the parties' joint request to continue. The parties made such request at a teleconference held on October 4, 2022 at 1:30 PM. The Court hereby **GRANTS** the parties' request to continue.

The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and Defendant in a speedy trial. Failure to grant the requested continuance would deny both the Government and Defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7). Thus, the time from **October 11, 2022 until March 24, 2023** is **EXCLUDED** in computing the time period set forth in 18 U.S.C. § 3161 within which the United States must bring Defendant to trial.

This case is set for trial beginning on **March 20, 2023** in the Walter H. Rice Federal Building and United States Courthouse in Dayton, Ohio. The final pretrial conference is set for **March 9, 2023 at 11:00 AM**, which is approximately 10 days before trial.

IT IS SO ORDERED.

October 6, 2022

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge